

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re Fyre Festival Litigation

FILE NO. 1:17-cv-03296-PKC

NOTICE OF MOTION

PLEASE TAKE NOTICE of Defendant Jeffrey Atkins's Motion to Dismiss Plaintiffs'

Second Amended Consolidated Class Action Complaint pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted, and all exhibits annexed hereto. Mr.

Atkins respectfully requests this Court before the Hon. P. Kevin Castel, at the United States Courthouse, Room 11D, 500 Pearl Street, New York, New York 10007, at a date and time to be designated by this Court, enter an order:

- i. Granting Mr. Atkins's motion to dismiss the Second Amended Consolidated Class Action Complaint as against him pursuant to Fed. R. Civ. P. 12(b)(6) with prejudice, and
- ii. Granting such further relief as the Court deems just and proper.

Dated: August 28, 2018

By: s/ Ryan Smith
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